IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1288 OF 1985

Rakesh Textile Corporation ... Plaintiffs

V/s

Bhagyanagar Silk Mills Pvt.Ltd. ... Defendants

Mr.J.M.Shah for plaintiffs

None for defendants

Coram : A.S. Aguiar, J.

Date : 21st February 2005

P.C.

1 The learned counsel for plaintiffs present. None present for defendants. The defendants have filed their written statement. Thereafter issues were framed. However, the defendants have not been appearing for some time.In the absence of defendants plaintiffs have filed affidavit of documents, affidavit of evidence and compilation of documents.

2 Heard the learned advocate for plaintiffs.Perused the plaint, written statement and affidavit of evidence and documents. The suit is for the recovery of a sum of Rs.3,62,709.30 together with interest as per particulars of claim Exhibit 'B' and for interest on principal amount at the rate of 24% per annum. Decree in terms of prayer clause (a) of the plaint is passed. The defendants are directed to pay to plaintiffs a sum of Rs.3,62,709.30 and interest at the rate of 10% from the date of filing of suit till realisation. Suit stands disposed of.No order as to costs.

(A.S. Aguiar,J.)